THE CODE OF CRIMINAL PROCEDURE (BOMBAY AMENDMENT) ACT, 1954.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title.
2. Amendment of section 17 of Act V of 1898.
3. Amendment of section 41 of Act V of 1898.
4. Amendment of section 144 of Act V of 1898.
5. Amendment of section 435 of Act V of 1898.
6. Insertion of new section 539D in Act V of 1898.
7. Amendment of Schedule IV to Act V of 1898.

BOMBAY ACT No. LXXI OF 1954.[1]

[THE CODE OF CRIMINAL PROCEDURE (BOMBAY AMENDMENT) ACT, 1954.]

[*29th November 1954*]

An Act to amend the Code of Criminal Procedure, 1898, in its application to the State of Bombay.

V of 1898. WHEREAS it is expedient to amend the Code of Criminal Procedure, 1898, in its application to the State of Bombay for the purposes hereinafter appearing; It is hereby enacted in the Fifth Year of the Republic of India as follows :—

1. This Act may be called the Code of Criminal Procedure (Bombay Amendment) Act, 1954. Short title.

V of 1898. 2. In sub-section (*4*) of section 17 of the Code of Criminal Procedure, 1898, (hereinafter referred to as the said Code), for the words " by the District Magistrate, and such Judge or Magistrate " the words and brackets " by a Civil Judge (Senior Division), or if there be no Civil Judge (Senior Division), by the Sessions Judge or Additional or Assistant Sessions Judge of an adjoining Sessions Division, and such Judge " shall be substituted. Amendment of section 17 of Act V of 1898.

3. In section 41 of the said Code, after sub-section (*2*), the following sub-section shall be inserted, namely :— Amendment of section 41 of Act V of 1898.

" (*3*) Any powers conferred by the Sessions Judge may be withdrawn by the Sessions Judge with the approval of the High Court."

4. In section 144 of the said Code, sub-section (*5A*) shall be deleted. Amendment of section 144 of Act V of 1898.

5. In sub-section (*4*) of section 435 of the said Code, after the words " an Executive Magistrate " the words " or the Commissioner of Police, as the case may be " shall be inserted. Amendment of section 435 of Act V of 1898.

6. After section 539C of the said Code, the following new section shall be inserted, namely :— Insertion of new section 539D in Act V of 1898.

" 539D. Any Justice of the Peace (not being a legal practitioner) shall be entitled to attest, verify or authenticate documents brought before him for the purpose of attestation, verification or authentication, as the case may be, and to affix such seal thereon as may be prescribed by the State Government by notification in the *Official Gazette.*" Attestation, etc., of documents and use of seal by Justices of the Peace.

7. In Part I of Schedule IV to the said Code,— Amendment of Schedule IV to Act V of 1898.

(*i*) in sub-part (A), entry 5 shall be deleted ;

(*ii*) in sub-part (B), after entry 2, the following entry shall be inserted, namely :—

" *3. Power to transfer cases, section 192.*"

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, Part V, pp. 271-272.